

VARIANCE(S):

JVA-2014-006

JVA-2014-007

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER(S): JVA-2014-006
JVA-2014-007

REQUEST(S): JVA-2014-006: GRAVEL PARKING
LOT/REDUCED PARKING
JVA-2014-007: POLE SIGN

APPLICABLE SECTION: JVA-2014-006: SECTION 1501 (C) DESIGN
STANDARDS FOR OFF-STREET PARKING

JVA-2014-007: SECTION 1608 (D) GENERAL
PROVISIONS

LOCATION: 3949 RUSSELL STREET
DISTRICT/LAND LOT: 7-236-027
ZONING: OTCD (OLD TOWN COMMERCIAL DISTRICT)

APPLICANT(S): DIXIE HUTHMAKER
3140 MAIN STREET
DULUTH, GA 30096

OWNER(S): DANNA NELSON AND BRIAN McDONALD
3949 RUSSELL STREET
SUWANEE, GA 30024

CONTACT: DIXIE HUTHMAKER
CONTACT PHONE: 770-476-9443

STAFF RECOMMENDATION: JVA-2014-006: APPROVAL WITH CONDITIONS
JVA-2014-007: APPROVAL WITH CONDITIONS

ANALYSIS:

The applicant seeks two variances, one (JVA-2014-006) from Sections 1501 (C) and 1502 of the Zoning Ordinance to allow for a gravel parking area and a reduction in the number of required spaces, and one (JVA-2014-007) from Section 1608 (D) of the City of Suwanee Zoning Ordinance to allow for a pole sign. The subject business is a retail violin and repair shop that is proposed be located at 3949 Russell Street in the Old Town section of the City. The parcel was rezoned in June from R-100 (Single Family Residential District) to OTCD (Old Town Commercial District) with the knowledge that gravel parking was proposed. The parcel contains a historic home commonly known as the Rhodes House that is approximately 4,000 square feet. There is also an accessory structure located towards the rear of the property, that is proposed to

be used for storage. The existing parking area for the Rhodes House is gravel. The applicant is proposing to make some minor modifications to the existing gravel parking area/driveway in order to accommodate 5 parking spaces. Additionally, the applicant proposes to construct a concrete parking pad for 2 handicap parking spaces. The spaces would be served by a ramp that leads up to the entrance of the Rhodes House. No additional exterior improvements are proposed.

The site is located at 3949 Russell Street adjacent to the railroad right-of-way. The property is surrounded by single family homes zoned R-100 to the south and west. An undeveloped property zoned R-100 is adjacent to the east and the railroad right-of-way is to the north. The house is in close proximity to the historic Old Town commercial area located along Main Street.

Currently, Old Town has a mixture of commercial, office and residential uses all within close proximity. This development pattern and mixture of uses is common with many small downtowns in Georgia. Old Town has professional offices including insurance agent, attorney and real estate offices, plus a hair salon, industrial uses and single family homes. The majority of non-residential uses are located on Main Street between Scales Road and Calaboose Street. The subject property is located directly across the railroad tracks from this area.

The City's Zoning Ordinance grants the Zoning Board of Appeals the authority to grant variances. According to Section 2006 of the Ordinance, the Board is authorized to grant variances when literal enforcement of the Ordinance will result in unnecessary hardship to a property owner. The zoning ordinance also states that variances may be granted when relief would not cause substantial detriment to the public good nor impair the purposes or intent of the Zoning Ordinance.

JVA-2014-006

Section 1501 (C) of the Zoning Ordinance regulates the design standards of off-street parking lots. Section 1501 (C) states:

C. Improvement of Off-Street Parking Lots. All off-street parking lots, whether public or private, shall meet the following standards:

1. They shall be graded to insure proper drainage, surfaced with a minimum of 4 inches of concrete or 2 inches of asphalt installed on a minimum of 4 inches of base, or as an alternative paving system otherwise allowed by the City, and maintained in good condition free of weeds, dust, trash and debris.

Alternative paving surfaces with suitable base and structure for intended use may be used in temporary or overflow situations with the approval of the City of Suwanee. Alternative paving surface design shall be able to meet minimum durability and weight requirements of the City.

As previously mentioned, the subject parcel was rezoned in June to OTCD. A condition of approval was to maintain the exterior appearance of the Rhodes House. It is important to maintain the residential character of the structure and maintain consistency with the surrounding single family homes. Allowing the parking area to remain gravel will help keep the residential feel of the property and is consistent with other businesses in Old Town. Maintaining the gravel parking area will also help protect the large trees that overhang the area. A paved parking area would require grading and the use of heavy machines which could cause damage to the trees. Additionally, a large paved parking area would permanently alter the character of the area.

Section 1502 of the Zoning Ordinance regulates the minimum number of parking spaces for various uses. This section requires 1 space per 250 square feet of floor area. The gross floor area of the Rhodes House is approximately 4,000 square feet. As such, the ordinance requires the provision of 16 parking spaces. The applicant is proposing to provide 7 parking spaces. A variance is required in order to allow for the number of parking spaces to be reduced.

The applicant is proposing to use 1,700 square feet of the available space for retail use. Additionally, the applicant is proposing to have employees park in the nearby on-street parking spaces on Main Street. It is also worth noting that the business has been at its current location for the last 10 years, during which time, they have been adequately served by 5 parking spaces. The proposed use is a specialty retail use with limited drop in traffic. Because of all of these factors, the Planning Department recommends **APPROVAL WITH CONDITIONS** of JVA-2014-006.

JVA-2014-007

The second variance requested by the applicant is to allow for a single pole sign. The Rhodes House is just over 4,000 square feet. As such it would be entitled to a 64 square foot ground sign with 40 square feet of copy area and a maximum height of 6 feet. However, poles signs are not permitted within the City. Monument signs with enclosed brick or stone bases are required for all new freestanding signs.

Section 1608 (D) of the Zoning Ordinance regulates what type of ground signs are permitted in the City of Suwanee. Section 1608(D) states:

Construction of permanent ground signs. All permanent ground signs with a sign area greater than 6 square feet but 192 square feet or less shall be monument-style signs. No permanent pole signs greater than 6 square feet or less than 192 square feet shall be allowed.

The proposed sign that the applicant is requesting is 10.5 square feet and 12 feet tall. The applicant is proposing to use the pole sign at their current location and move it to the proposed new location. The style of the proposed sign is a hanging single pole sign (see exhibit "C").

The subject site is located in historic Old Town. The area is home to some of the City's oldest homes and non-residential buildings. The proposed sign would be in context with many other signs in the area. Several of the businesses along Buford Highway and Main Street are located in

older buildings that use pole signs similar to the proposed sign. State Farm currently has a pole sign as does the Old Towne Florist, and Quality Search. The City's downtown directional sign is also a dual pole sign. The proposed sign has a "historic" appearance that fits in with the area. A shorter, but larger monument sign constructed per Zoning Ordinance requirements, would be more visually intrusive than the proposed pole sign.

As previously stated, the proposed sign is currently 12 feet tall and 10.5 square feet. While the height of the sign is more than would normally be allowed, the square footage is well below what the City would normally permit. The sign in its current location hangs above a sidewalk. In the new location this would not be the case. As such, if the variance requested is approved, then the height of the sign should be adjusted accordingly.

CONCLUSION

In conclusion, the subject property does not appear to have a situation which rises to the level of hardship, but it is somewhat unique. The applicant is interested in minimizing the visual impact of a new commercial use in this historic area. The applicant proposes significantly less signage than they are allowed. As such, it is likely that approval of this variances would not cause substantial detriment to the public good nor impair the purposes or intent of the Zoning Ordinance. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of JVA-2014-007.

JVA-2014-006

Planning Department Recommendation:

Approval of a variance for a gravel parking lot with fewer than the minimum number of parking spaces subject to the following conditions:

1. The parking lot shall be located in an area substantially consistent with the site plan submitted on 6/13/14 and may be constructed using gravel.
2. The parking lot shall comply with the Americans with Disabilities Act as required by the Fire Marshal.
3. The parking area shall be maintained in good condition free of weeds, dust, trash and debris.
4. The parking area shall provide a minimum of 7 parking spaces as long as the property is being used for non-residential purposes.

JVA-2014-007

Planning Department Recommendation:

Approval of a variance for a pole sign subject to the following conditions:

1. Ground signage shall be limited to the sign indicated in the rendering identified in "Exhibit C".
2. The maximum height of the sign shall be 8 feet.
3. The location of the sign shall be generally consistent with the site plan submitted on 6/13/14.

Standards for Consideration

Pursuant to Section 2009A of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

A. Will approval of the variances unreasonably increase the congestion in public streets?

Approval of the variances would not increase the congestion in public streets.

B. Will approval increase the danger of fire or endanger public safety?

Approval of the variances would not increase the danger of fire or endanger public safety.

C. Will approval unreasonably diminish or impair established property values within the surrounding area?

Approval of the variances would not unreasonably diminish or impair property values within the surrounding area. It could be argued that approving the variances would aid in maintaining property values by allowing for development more consistent with the area.

D. Will approval in any other aspect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City?

Approval of the variances would not impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

**APPLICATION FOR VARIANCE FROM THE
CITY OF SUWANEE ZONING BOARD OF APPEALS**

Please complete this application and submit with all necessary attachments as stated on the Variance Information Form (please type or print)

APPLICANT INFORMATION

Name: Dixie Huthmaker
Address: 3140 Main St
City: Duluth
State: GA
Phone: 770-476-9443
E-mail address: fiddlefolk@aol.com

OWNER INFORMATION

Name: Danna Nelson, Brian McDonald
Address: 3949 Russell St
City: Suwanee
State: GA
Phone: 678-468-9042

CONTACT PERSON: Dixie Huthmaker PHONE: 770-476-9443

ADDRESS OF PROPERTY 3949 Russell St, Suwanee

LAND DISTRICT 7 LAND LOT 236 PARCEL 027 LOT -

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) Huthmaker Violin

ZONING Old Town Commercial Dist

VARIANCE REQUESTED Reduction in number of required parking spaces to 6 spaces, including handicapped parking and request a gravel parking surface (except handicap) to help maintain the charm and character of the building and area.

NEED FOR VARIANCE The commercial use as a violin shop only requires the use of 6 spaces, based on the historical use at the current business location for approximately 20 years. See attached photos. Allowing a gravel parking surface will help to maintain the charm and character of the building and surrounding area while respecting it's history.

***A VARIANCE FROM A CONDITION OF ZONING CANNOT BE ACCEPTED.**

SECTION 2007, APPLICANT AND/OR A REPRESENTATIVE.

*****The property owner, applicant and /or a representative thereof shall be present at all meetings of the Zoning Board of Appeals, Planning Commission and/or Mayor and Council at which official action is requested on any variance or application for amendment. The failure of the property owner, applicant and/or a representative to attend such meetings shall result in the denial of said variance or application for amendment.**

JVA. 2014.006

APPLICANT CERTIFICATION

The undersigned below is authorized to make this application and is aware that an application or re-application for the same type of variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals, unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than (6) months from the date of the last action by the Board of Appeals.



Dixie Huthmaker 5-15-14
Signature of Applicant Date

Dixie Huthmaker
Typed or Printed Name and Title

Katie K. Martin 5/15/14
Signature of Notary Public Date

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of Variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than six (6) months from the date of the last action by the Board of Appeals.



Dannali Walker, PSA for Brian McDonald 5/15/2014
Signature of Applicant Date

DANNA NELSON
Typed or Printed Name and Title

Katie K. Martin 5/15/14
Signature of Notary Public Date

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number JVA-2014-006 Variance _____ Administrative _____
Date Rec'd _____ Rec'd By _____ Hearing Date _____
Amount Rec'd _____ Receipt _____

ACTION TAKEN _____

SIGNATURE _____ DATE: _____

Roland Huthmaker

Bowed String Instruments



To whom it may concern,

In reference to our request for variances in the parking regulations for the Rhodes House, located at 3949 Russell Street.....

Huthmaker Violins has been in business in Downtown Duluth for 20 years, and for the last ten of those years, we have been at 3140 Main Street. The location has parking for five cars in front. We have found those spots to be more than adequate for customer parking.

There is public parking to the side and back of the property, and the staff and owners of the shop park in those lots. In Historic Suwanee, we would continue this practice, with the staff parking in the public parking on Main Street.

Thank you so much for your consideration in these matters,

Roland, Dixie and Anna Huthmaker
Owners, Huthmaker Violins



Roland Huthmaker

**APPLICATION FOR VARIANCE FROM THE
CITY OF SUWANEE ZONING BOARD OF APPEALS**

Please complete this application and submit with all necessary attachments as stated on the Variance Information Form (please type or print)

APPLICANT INFORMATION

Name: Dixie Huthmaker
Address: 3410 Main Street
City: Duluth
State: GA, 30096
Phone: 770-476-9443
E-mail address: fiddlefolk@aol.com

OWNER INFORMATION

Name Danna Nelson, Brian McDonald
Address 3949 Russell Street
City: Suwanee
State GA, 30024
Phone: 678-468-9042

CONTACT PERSON: Dixie Huthmaker PHONE: 770-476-9443

ADDRESS OF PROPERTY 3949 Russell Street

LAND DISTRICT _____ LAND LOT _____ PARCEL _____ LOT _____

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) _____

ZONING _____

VARIANCE REQUESTED relief from Article 16 Section 16.2.C.2A monument sign to allow use of existing signage in use at current location in Duluth location. Please see attached photo.

NEED FOR VARIANCE It is our opinion that the sign we currently use will reflect the character of the Old Town Suwanee area & therefore respectfully request approval.

***A VARIANCE FROM A CONDITION OF ZONING CANNOT BE ACCEPTED.**

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 Anna Huthmaker 6.13.14
Signature of Applicant Date

 Anna Huthmaker, Partner
Typed or Printed Name and Title

 Janis Anglin 6/13/14
Signature of Notary Public Date

Notary Seal

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of Variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than six (6) months from the date of the last action by the Board of Appeals.



 Danna Nelson 6/12/14
Signature of Applicant Date

 DANNA NELSON
Typed or Printed Name and Title

 Rajkumar Charotari 06/12/2014
Signature of Notary Public Date

Notary Seal

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number _____ Variance _____ Administrative _____
Date Rec'd _____ Rec'd By _____ Hearing Date _____
Amount Rec'd _____ Receipt _____

ACTION TAKEN _____

SIGNATURE _____ DATE: _____

OWNER/PURCHASER
BUTHBARKERS VOLUNTS
3140 MAIN STREET
DULUTH, GA 30096

PROPOSED NEW HOME OF HUTHBARKERS VOLUNTS
CONTACT: ANNA HUTHBARKER
770-478-8443

NO.	REVISIONS



LEBON ENGINEERING PC
1000 Peachtree Street, N.E.
Atlanta, Georgia 30309
Phone: 404.525.1100
Fax: 404.525.1101
www.lebon.com

Sheet Title:
C-1
PRELIMINARY PLAN
3949 RUSSELL ROAD
MAY 14, 2014



Site can readily support six (6) parking spaces via the existing gravel driveway.

Huthbarker Voltra is currently located in Duluth in a very similar facility from a standpoint of available parking and its use. This will be a stringed instrument crafting facility with the products being vanished off-site. There will be six (6) employees working in 2,300 sqft and 1,750 sqft of retail space. Per current parking ordinance, this would result in a requirement for sixteen (16) parking spaces.

We will be applying for a variance to allow six (6) spaces as this is actually an increase in number of spaces (6) compared to current use (4) in Duluth where they have five (5) spaces. Our lot is located in a residential neighborhood, as well as, the use of gravel surfaces for four (4) of the proposed parking spaces.

It is important to note that the Huthbarker staff currently use City of Duluth public parking and they will use the City of Suwanee public parking area near the caboose for the same purpose.

We respectfully request that the side yard setback be set at zero (0) feet to support the existing structures.

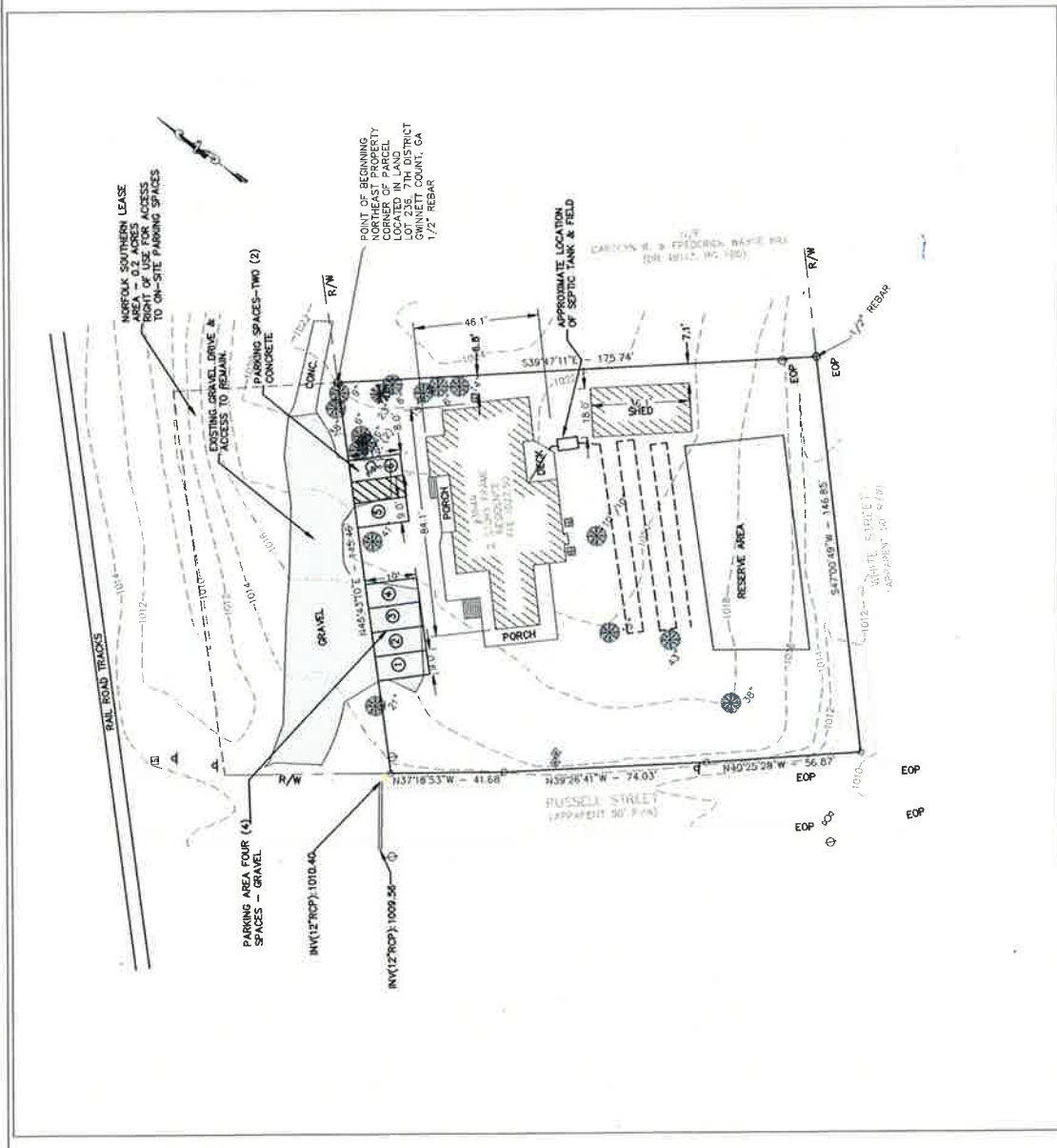
There are no flood plain, bodies of water, on-site wells, or detention facilities on site or within 50 feet of the property line.

The only grading proposed is for the parking area in front of the existing building and is expected to be minimal.

The purpose of this site plan is to support the change of use from residential to commercial in the Suwanee Old Town Overlay District.



PLAN BASE IS FROM FIELD RUN SURVEY BY BOUNDARY ZONE, INC.
DATED APRIL 30, 2014.



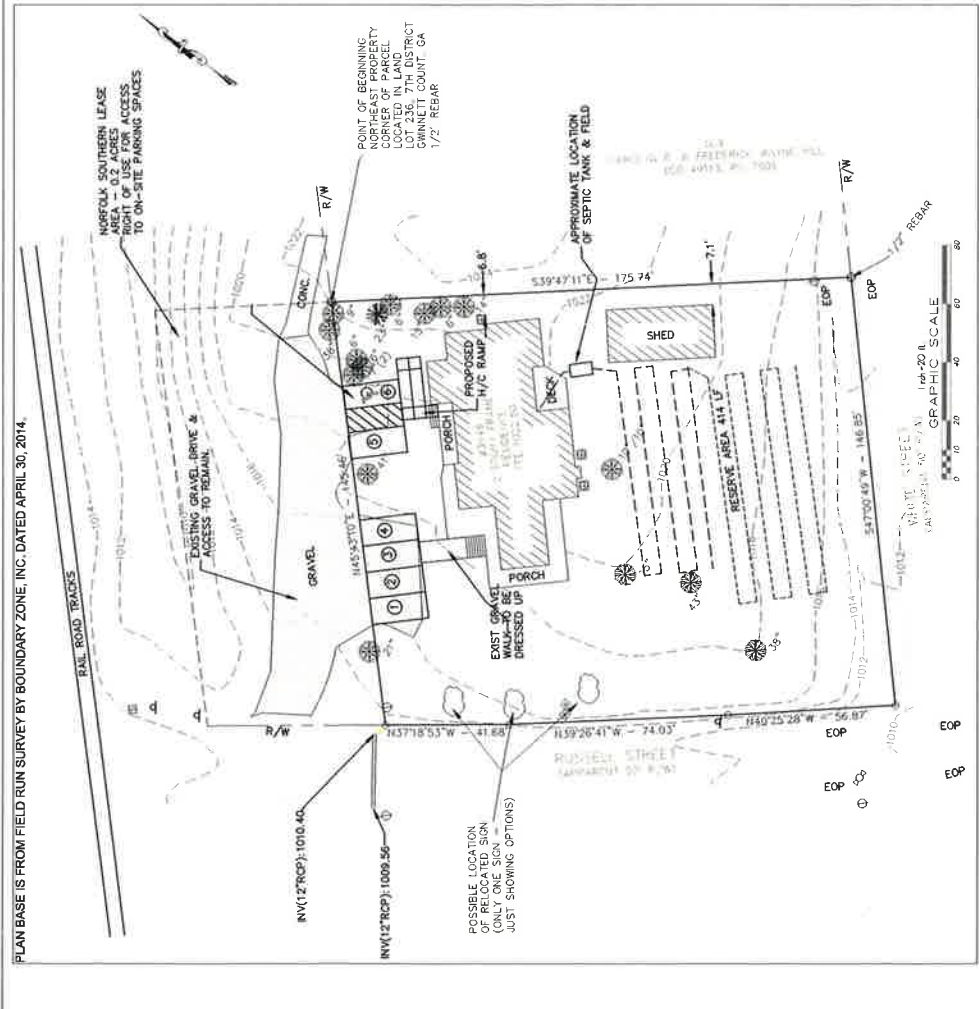
JVA-2014-006



EXISTING PARKING AT CURRENT
BUSINESS LOCATION.

JVA.2014.006

Exhibit 'C'



OWNER/PURCHASER
HUTHMAKER VIOLINS
3140 MAIN STREET
DULUTH, GA 30096

CONTACT: ANNA HUTHMAKER
770-476-9443

PROPOSED NEW HOME OF HUTHMAKERS VIOLINS
3949 RUSSELL STREET
N.T.S.



Revisions:

DATE: 06/12/14
BY: JVA
CHECKED: JVA
APPROVED: JVA



EXISTING SIGN IN USE AT CURRENT LOCATION.
THIS VARIANCE IS TO REQUEST APPROVAL OF USING THIS SIGN AT THE NEW LOCATION AT 3949 RUSSELL STREET.
THE CURRENT DIMENSIONS WOULD BE THE MAXIMUM HEIGHT. IT IS ANTICIPATED THAT THE HEIGHT WILL BE REDUCED AS PROPOSED LOCATION IS ON THE HIGHER PORTION OF THE PROPERTY.

Sheet Title: C-1
SIGN VARIANCE
3949 RUSSELL ROAD
JUNE 12, 2014

Scale: 1" = 20'

Graphic Scale: 0 20 40 60 80

1 inch = 20 feet

JVA. 2014.007




EXHIBIT A

JVA-2014-006

JVA-2014-007

Location Map

Legend

-  JVA-2014-006/007
-  Major Road
-  Railroad

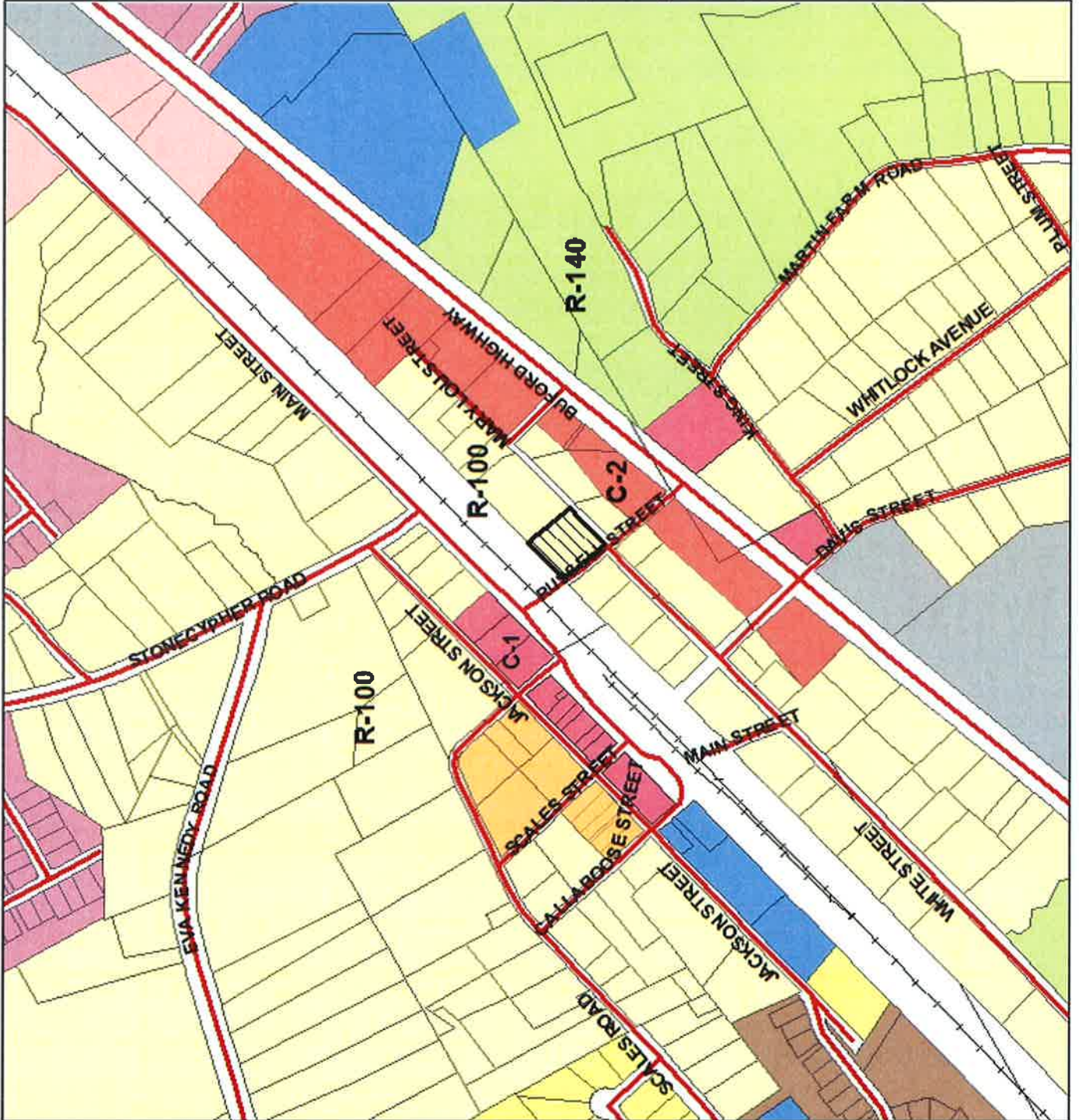
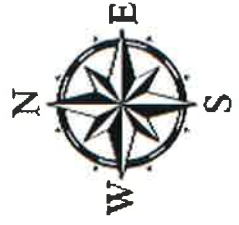




EXHIBIT B
JVA-2014-006
JVA-2014-007

Aerial Map

Legend



JVA-2014-006/007

Major Road

Railroad

